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FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 13-00636 LHK
)	
Plaintiff,)	STIPULATION AND []
)	ORDER CONTINUING HEARING TO
vs.)	AUGUST 27, 2014, AND EXCLUDING
)	TIME UNDER THE SPEEDY TRIAL ACT
ANTHONY BARREIRO, et al.,)	
)	
Defendant.)	
_____)	

STIPULATION

The defendants and the government, acting through their respective counsel, hereby stipulate, subject to the Court's approval, that the status hearing date currently set for June 11, 2014, be vacated and continued to August 27, 2014, at 9:30 a.m.

The reason for the requested continuance is to permit defense counsel additional time to effectively prepare. The defense has received an initial production of discovery that defense counsel is still reviewing. Additionally, the defense investigation is on-going and counsel for Mr. Barreiro anticipates the government will soon produce additional discovery in this matter. The parties therefore respectfully requests a continuance and exclusion of time based on the defense need to effectively prepare.

Accordingly, the parties agree and stipulate that time should be excluded from June 11, 2014, through and including August 27, 2014, under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for effective preparation. The defendants and the government further agree that granting the requested exclusion of time will serve the interest of justice and the ends of justice outweigh the interest of the public and the defendants in a speedy trial.

IT IS SO STIPULATED.

Dated: June 10, 2014

_____/s/_____
VARELL L. FULLER
Assistant Federal Public Defender
Counsel for Mr. Barreiro

Dated: June 10, 2014

_____/s/_____
TIMOTHY J. LUCEY
Assistant United States Attorney

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[] ORDER

GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY ORDERED that the status hearing currently set for June 11, 2014, shall be continued to August 27, 2014, at 9:30 a.m.

THE COURT FINDS that failing to exclude the time between June 11, 2014, and August 27, 2014, would unreasonably deny both counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv).

THE COURT FURTHER FINDS that the ends of justice served by excluding the time between June 11, 2014, and August 27, 2014, from computation under the Speedy Trial Act Stipulation and [] Order Continuing Hearing, No. CR 13-0636 LHK

1 outweigh the interests of the public and the defendants in a speedy trial.

2 THEREFORE, IT IS HEREBY ORDERED that the time between June 11, 2014, and
3 August 27, 2014, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §
4 3161(h)(7)(A) and (B)(iv).

5 IT IS SO ORDERED.

6 Dated: ~~1 5 14~~


THE HONORABLE LUCY H. KOH
United States District Court Judge